

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GLENN H. GORTON,

Plaintiff,

vs.

FLOYD FRY, et al.,

Defendants.

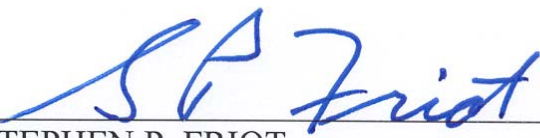
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Case No. CIV-09-0077-F

ORDER

In her Report and Recommendation of February 25, 2009 (doc. no. 10), Magistrate Judge Bana Roberts recommended that this action be dismissed without prejudice for failure to timely pay the initial partial filing fee, as previously ordered. The Report advised plaintiff of his right to file an objection to the Report by March 17, 2009, and further advised that failure to object to the Report would waive appellate review of the rulings contained in the Report. No objection has been filed, no request for an extension of time within which to object has been filed, and good cause has not been shown for failure to pay the partial filing fee. Accordingly, after review, and with no objection having been made, the Report and Recommendation of Magistrate Judge Roberts is **ACCEPTED, ADOPTED** and **AFFIRMED** in its entirety. This action is **DISMISSED** without prejudice for failure to pay the initial partial filing fee or show good cause for such failure.

Dated this 2nd day April, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE